

## Message Text

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ORIGIN PM-05

INFO OCT-01 AF-10 ISO-00 DODE-00 CIAE-00 INR-07  
NSAE-00 /023 R

DRAFTED BY PM/SAS: DKEENE:LD  
APPROVED BY PM/SAS: MR. KOCHANEK  
DOD/DSAA - MR. SOMMER  
AF/C - MR. KATES

-----107411 190248Z /65

R 182215Z JUL 77  
FM SECSTATE WASHDC  
TO AMEMBASSY KINSHASA  
AMEMBASSY LUSAKA

UNCLAS STATE 167312

E.O. 11652: N/A

TAGS:MASS, CG,ZA

SUBJECT: UTILIZATION OF FMS CREDIT FOR PETROL

REF: KINSHASA 6618

1. RELEVANT PORTION OF CREDIT AGREEMENT (ANNEX B) IS QUOTED BELOW. THIS SHOULD PROVE SUFFICIENT FOR ADDRESSEES TO INITIATE ACTION. EMBASSY KINSHASA SHOULD POUCH ENTIRE DOCUMENT TO EMBASSY LUSAKA.

2. QUOTE: ANNEX B TO FY 77 CREDIT AGREEMENT

-----DSAA REQUIREMENTS  
-----FOR SUPPORTING INVOICE DATA  
-----FROM COMMERCIAL SUPPLIERS

WHEN FUNDS FROM THIS CREDIT AGREEMENT ARE TO BE USED  
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TO PAY A COMMERCIAL SUPPLIER, THE BORROWER MUST PROVIDE THE FOLLOWING SUPPORTING DOCUMENTS AND CERTIFICATES ALONG WITH THE LETTER REQUESTING THE ADVANCE.

1. TO BE PREPARED BY THE COMMERCIAL SUPPLIER.
  - A. AN INVOICE, WHICH HAS BEEN PREPARED IN ACCORDANCE

WITH THE RELEVANT PROVISIONS OF THE PURCHASE AGREEMENT BETWEEN THE BORROWER AND THE COMMERCIAL SUPPLIER, COVERING THE MATERIEL AND SERVICES FOR WHICH PAYMENT IS TO BE RECEIVED FROM THIS ADVANCE. THE INVOICE SHOULD, AS A MINIMUM (1) LIST ITEMS FOR WHICH PAYMENT IS REQUESTED OR IDENTIFY THE WORK IN PROGRESS FOR WHICH PAYMENT IS REQUESTED; (2) REFLECT THE AMOUNT AND DATE PAYMENT IS DUE; (3) INDICATE BY SEPARATE ENTRY THE AMOUNT INCLUDED IN THE INVOICE FOR TRANSPORTATION AND RELATED COSTS; AND, IF TRANSPORTATION IS INVOICED FOR DELIVERY TO A PORT OUTSIDE THE UNITED STATES, (4) STATE THE NAME OF THE CARRIER (S) OF THE MATERIEL FROM THE U.S. PORT OF EMBARKATION.

B. A COPY OF EACH BILL OF LADING (A RATED, "ON-BOARD" BILL OF LADING) CONNECTED WITH THE INVOICE. IF AN INVOICE HAS NO COST ENTRY FOR TRANSPORTATION FROM A UNITED STATES PORT OF EMBARKATION THE SUPPLIER WILL INCLUDE A CERTIFICATION WITH THE INVOICE AS FOLLOWS:

THE (COMMERCIAL SUPPLIER) ACKNOWLEDGES THAT UNITED STATES GOVERNMENT FUNDS ARE BEING USED BY THE (BORROWER) TO FINANCE THE MATERIEL INCLUDED IN THIS INVOICE AND CERTIFIES THAT NO CHARGES OF ANY NATURE ARE INCLUDED AND REQUIRED OF THE (BORROWER) IN CONNECTION WITH THIS INVOICE FOR TRANSPORTATION FROM A UNITED STATES PORT OF EMBARKATION.

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-----(SIGNED)  
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(COMMERCIAL SUPPLIER)

C. A STATEMENT BY THE COMMERCIAL SUPPLIER ACCOMPANYING EACH INVOICE, OR MADE PART OF A CONTRACT APPROVED BY DOD BETWEEN THE BORROWER AND THE COMMERCIAL SUPPLIER COVERING THE MATERIEL AND SERVICES FOR WHICH PAYMENT IS REQUESTED:

(COMMERCIAL SUPPLIER) CONFIRMS THAT AUTHORIZED REPRESENTATIVES OF THE GOVERNMENT OF THE UNITED STATES SHALL HAVE ACCESS TO AND THE RIGHT TO EXAMINE ANY DIRECTLY RELATED BOOKS, DOCUMENTS, PAPERS, OR RECORDS WHICH INVOLVE TRANSACTIONS RELATING TO THIS SALE FOR A PERIOD OF THREE YEARS IMMEDIATELY FOLLOWING THE RECEIPT OF FINAL PAYMENT THEREFORE, AND ALSO CONFIRMS THAT THE MATERIEL FOR WHICH PAYMENT IS REQUESTED ARE UNITED STATES SOURCE END PRODUCTS.

D. IF A COMMERCIAL SUPPLIER REQUIRES PAYMENT IN ADVANCE FOR WORK YET TO BE PERFORMED, AS DISTINGUISHED

FROM PAYMENT FOR DELIVERY OF DEFENSE ITEMS OR REIMBURSEMENT IN THE FORM OF PROGRESS PAYMENTS FOR WORK OR SERVICES PERFORMED, THE SUPPLIER SHALL INCLUDE WITH THE INVOICE A STATEMENT SETTING FORTH THE UNDERTAKING OF THE SUPPLIER TO MAINTAIN THE FULL AMOUNT OF THE ADVANCE IN A SEGREGATED ACCOUNT WHICH WILL BE APPLIED SOLELY TO THE PERFORMANCE OF THE SUPPLIER'S OBLIGATIONS UNDER THE PURCHASE ARRANGEMENT WITH THE BORROWER. END QUOTE. VANCE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PETROLEUM PRODUCTS, CREDIT AGREEMENTS, MILITARY SALES  
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**Copy:** SINGLE  
**Sent Date:** 18-Jul-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ORIGIN PM  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Reference:** 77 KINSHASA 6618  
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**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
**SAS ID:** 1825939  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UTILIZATION OF FMS CREDIT FOR PETROL  
**TAGS:** MASS, CG, ZA  
**To:** KINSHASA LUSAKA  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
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**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009